



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. M. Milliorn, et al. Examiner: W.B. Aughenbaugh
Serial No.: 09/912,621 Group Art Unit: 1772
Conf No.: 5460 Docket No.: 1938US01
(formerly HO-P02164US0)

Filed: July 24, 2001

Title: TRIANGLE SHAPED LABELS AND IMPROVED CONFIGURATION PROCESS

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 7/19/04.

By: [Signature]
Name: Susanna L. Yu

LARGE ENTITY ASSERTION / STATUS UPDATE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please note that United States patent application number 09/912,621 no longer claims status as a small entity. Please immediately update the patent record to reflect large entity status for this case.

Please charge any additional fees or credit any overpayment to Deposit Account No. 501257.

Respectfully submitted,

ECOLAB INC.
Law Department
Research and Development Center
840 Sibley Memorial Highway
Mendota Heights, MN 55118
Telephone: (651) 306-5810
Facsimile: (651) 306-4272

By: [Signature]
Name: Andrew D. Sorensen
Reg. No. 33,606

Dated: 7/16/2004



REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	09/912,621
	Filing Date	July 24, 2001
	First Named Inventor	J. M. Milliorn, et al
	Art Unit	1772
	Examiner Name	Walter Aughenbaugh
	Attorney Docket Number	1938US01 (formerly HO-02164US0)

I hereby revoke all previous powers of attorney or authorization of agent given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

43896

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with
Customer Number:

43896

OR

☐ Firm or
Individual Name

Ecolab Inc.

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840 Sibley Memorial Highway

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I am the:

☐

Applicant/Inventor.

☒

Assignee of record of entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE OF Applicant or Assignee of Record

Name

Andrew D. Sorensen

Signature

Date

July 16, 2001

Telephone

(651)-306-5810

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☒

*Total of 1 forms are attached.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: ECOLAB INC.
 Application No./Patent No.: 09/912,621 Filed/Issue Date: JULY 24, 2001
 Entitled: TRIANGLE SHAPED LABELS AND IMPROVED CONFIGURATION PROCESS
ECOLAB INC., a CORPORATION
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
 2. ☐ an assignee of less than the entire right, title and interest.
 The extent (by percentage) of its ownership interest is _____ %
 in the patent application/patent identified above by virtue of either:

A. [] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: JAMES MICHAEL MILLIORN & ANDREW BRIAN MILLIORN To: DAYDOTS HOLDINGS, INC.
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
 2. From: DAYDOTS HOLDINGS, INC. To: ECOLAB INC.
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
 3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[☒] Copies of assignments or other documents in the chain of title are attached.
 [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Andrew D. Sorensen
 Signature
ANDREW D. SORENSEN
 Printed or Typed Name
CHIEF PATENT COUNSEL
 Title

July 16, 2001
 Date
651-306-5810
 Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT BY INVENTORS

THIS ASSIGNMENT, made this 2nd day of August, 2007 by J. Michael Milliorn and Andrew Milliorn (hereinafter referred to as Assignors), both residing at Daydots International, Inc., 1801 Riverbend West Drive, Fort Worth, Texas 76118;

WHEREAS, Assignors have invented certain new and useful improvements in TRIANGLE SHAPED LABELS AND IMPROVED CONFIGURATION PROCESS, set forth in a Patent application for Letters Patent of the United States, filed herewith; and

WHEREAS, Daydots International, Inc., a corporation organized under and pursuant to the laws of Texas having its principal place of business at 1801 Riverbend West Drive; Fort Worth, Texas 76118 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefor and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

Express mail ET57527011545

AND for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

AND Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

AND Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

FULBRIGHT & JAWORSKI L.L.P.

Melissa W. Acosta	45,872	J. Ashley Herring	47,644	John E. Schneider	31,998
Alberto Q. Amatong, Jr.	41,580	Paul E. Krieger	25,886	Melissa Schwallier	46,089
Ronald G. Bliss	28,691	Michael S. McCoy	46,913	Jan K. Simpson	33,283
Gino Catena	45,546	John M. Mings	35,955	Melissa L. Sistrunk	45,579
Paul L. DeVerter, II	19,747	Thomas D. Paul	32,714	Edward D. Steakley	47,964
Marc L. Delflache	28,942	Jayne C. Piana	P-48,424	William A. Stout	18,773
David L. Fox	40,612	Doak C. Procter, IV	P-48,705	Charles B. Walker, Jr.	43,231
Eric B. Hall	46,751	James W. Repass	30,487	Richard S. Zembek	43,306

AND Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

Date

8-1-01

J. Michael Milliorn

J. Michael Milliorn

Date

8-2-01

Andrew Milliorn

Andrew Milliorn

PATENT ASSIGNMENT AGREEMENT

THIS PATENT ASSIGNMENT AGREEMENT, dated February 11, 2004, but effective as of the Effective Time on February 1, 2004, is by and between DAYDOTS Holdings, Inc., a Texas corporation ("Assignor"), and Ecolab Inc., a Delaware corporation ("Assignee").

RECITALS

WHEREAS, Assignor and Assignee are parties to that certain Asset Purchase Agreement, dated the date hereof (the "APA"), providing for the purchase of substantially all of the assets used in the business of DAYDOTS International, L.P., a Texas limited partnership and subsidiary of Assignor ("Daydots L.P.").

WHEREAS, Assignor holds various patents and patent applications used in the business of Daydots L.P.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, Assignor and Assignee hereby agree as follows:

1. Capitalized Terms. Capitalized terms used but not defined herein shall have the meanings specified in the APA.
2. Assignment of Patents. Effective as of the Effective Time, Assignor hereby assigns and delivers to Assignee all of Assignor's right, title and interest in and to all of the patents, patent applications (including reissues, divisions, continuations-in-part, and extensions), inventions and discoveries that may be patentable and improvements thereto listed on the attached Exhibit A, free and clear of any Encumbrances. Assignee hereby accepts the assignment of such patents:
3. Terms of the APA. In the event of any conflict or inconsistency between the terms of the APA and the terms hereof, the terms of the APA shall govern.
4. Further Assurances. Without limiting the generality of Section 5.9 of the APA, each of the parties hereto shall, from time to time, at the request of the other party and at such other party's cost and expense, execute and deliver such other instruments of conveyance and transfer and do such further acts and things as may be reasonably required for the purpose of carrying out the provisions of this Patent Assignment Agreement.
5. Counterparts. This Patent Assignment Agreement may be executed simultaneously in one or more counterparts (including by facsimile), each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[Remainder of page intentionally left blank. Signature page follows.]

IN WITNESS WHEREOF, Assignor and Assignee have executed this Patent Assignment Agreement to be executed by their duly authorized representatives as of the date first written above.

ASSIGNOR:

ASSIGNEE:

DAYDOTS Holdings, Inc.

Ecolab Inc.

By: James M. Million
Name: JAMES M. MILLION
Title: PRESIDENT

By: [Signature]
Name: _____
Title: _____

**EXHIBIT A
TO
PATENT ASSIGNMENT AGREEMENT**

1. Issued Patents

- a. U.S. Pat. No. 5,642,605 to Tenner et al., issued July 1, 1997
Food Portion Inventory Device With Imprinted Predetermined Date Indicia
- b. U.S. Patent No. 5,790,718 to Tenner et al., issued Aug. 4, 1998
Food Portion Inventory Device With Imprinted Predetermined Date Indicia
- c. U.S. Pat. No. D403,575 to Milliorn, issued Jan. 5, 1999
Container for Storing and Dispensing Labels
- d. U.S. Pat. No. 5,950,959 to Milliorn, issued Sept. 14, 1999
Container for Storing and Dispensing Labels
- e. U.S. Pat. No. D454,369 to Milliorn, issued Mar. 12, 2002
Label Dispenser
- f. U.S. Pat. No. D460,301 S, issued July 16, 2002
Dispensable Glove Dispensing System
- g. U.S. Pat. No. 6,543,642, issued Apr. 8, 2003
Disposable Glove Dispenser System

2. Patents Pending

- a. Utility Pat. Appl. No. 09/912,621, filed July 24, 2001
Triangle Shaped Labels and Improved Configuration Process
- b. Utility Pat. Appl. No. 09/912,755, filed July 24, 2001
Adhesive Label Having Nonadhesive Tab Portion
- c. Utility Pat. Appl. No. 09/938,920, filed Aug. 24, 2001
Process for Making Labels Having Non-Adhesive Portion
- d. Utility Pat. Appl. No. 10/121,124 filed Apr. 11, 2002
Modular Container for Holding Labels
- e. Design Pat. Appl. No. 29/158,837, filed Apr. 11, 2002
Modular Container for Holding Labels

f. Utility Pat. Appl. No. 10/675,373, filed Sep. 30, 2003
Roll Dispenser

g. Design Pat. Appl. No. 29/191,004, filed Sep. 30, 2003
Roll Dispenser

3. Docketed Cases

- a. Triangle Shaped Labels and Improved Configuration Process
- b. Process for Making Labels Having Non-Adhesive Portion